

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

J.D. JONES BARTON,

Petitioner,

V.

PATRICK R. GLEBE,

## Respondent.

No. C10-5511 RJB/KLS

## ORDER ADOPTING REPORT AND RECOMMENDATION

This matter comes before the Court on the Report and Recommendation by Magistrate

Judge Karen L. Strombom. The Court has considered Plaintiff's Motion for Leave to Proceed *in forma pauperis* (Dkt. 3), the Report and Recommendation of the Magistrate Judge (Dkt. 8), and the remaining record. Plaintiff has not filed objections to the Report and Recommendation.

Petitioner is a Washington state inmate at the Stafford Creek Corrections Center in Aberdeen, Washington. Petitioner filed a petition for writ of habeas corpus and the associated \$5.00 filing fee on July 21, 2010. Dkt 1. Petitioner referenced the payment of this filing fee in a Motion for Appointment of Counsel (Dkt. 2) filed on the same day as his petition for writ of habeas corpus (Dkt. 1) and a Motion for Leave to proceed *in forma pauperis* (Dkt 3). As

1 Petitioner has paid the required filing fee for his petition for writ of habeas corpus, the Court  
2 should deny his application to proceed *in forma pauperis* as moot.

3 The Court, having reviewed the Report and Recommendation, Petitioner's application to  
4 proceed *in forma pauperis*, and the remaining record, hereby finds and **ORDERS**:

5 (1) the Report and Recommendation of the Magistrate Judge (Dkt. 8) is approved and  
6 adopted;

7 (2) Petitioner's application to proceed *in forma pauperis* (Dkt. 3) is **DENIED**; and

8 (3) The Clerk is directed to send copies of this Order to Petitioner.

9  
10 DATED this 27th day of August, 2010.

11  
12   
13

14 ROBERT J. BRYAN  
United States District Judge  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26